95/3736#

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Docket No. GYN0090

N THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gene W. Kammerer et al.

Serial No.: 09/873,571

Art Unit: 3736

Filed

: June 4, 2001

Examiner: John P. Lacyk

For

: Surgical Method and Instrument For Treating Female

Urinary Incontinence

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Melissa J. Szanto '
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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on August 30, 2001.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §\$1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with \$1.97(b), since this information
Disclosure Statement is being filed either within three months
of the filing date of the above-identified national application
(other than a continued prosecution application under
\$1.53(d)), within three months of the date of entry into the
national stage of the above identified application as set forth
in §1.491, or before the mailing date of a first Office Action
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fee is required.
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(attached); or
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In accordance with \$1.97(c), this Information Disclosure Statement is being filed after the period set forth in \$1.97(b) above but before the mailing date of either a Final Action under \$1.113 or a Notice of Allowance under \$1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

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the fee of \$180.00 as set forth

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	Statement in Accordance with §1.97(e) (attached); or Please charge Deposit Account No. 10- 0750/GYN0090/MJS the fee of \$180.00 as set forth in §1.17(p).
	☐ In accordance with \$1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under \$1.113 or a Notice of Allowance under \$1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with \$1.97(e) as set forth below and the fee of \$180.00 as set forth in \$1.17(p). ☐ Copies of each of the references listed on the
	attached Form PTO-1449 are enclosed herewith. Copies of references listed on the attached Form PTO- 1449 are enclosed herewith EXCEPT THAT:
	In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
	If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.
	Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not

enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC \$371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i).

There are no listed references which are not in the English language.

The relevance of those listed references which are not in the English language is as follows: DE 4334419 - see English abstract; SE 503271 - see WO96/06567;

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed 08/30/2001.

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/GYN0090/MJS. This form is submitted in triplicate.

Respectfully submitted,

Melissa J. Szanto

Reg. No. 40,834

Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-1365
DATED: /2//0/04

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 7

a collection of information unless it displays a	collection of information unless it displays a valid OMB control number.					
Application Number	09/873,571					
Filing Date	June 4, 2001					
First Named Inventor	Gene W. Kammerer					
Group Art Unit	3736					
Examiner Name	Lacyk, John P.					
Attorney Docket Number	GYN0090					

				U.S. PATENT DOCUMENTS		
Examiner Initials	Cite	U.S. Patent Documen	t (ind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		3182662		Shirodkar	05-11-1965	
	 	3212502		Myers	10-19-1965	
	1	3311110		Singerman	03-28-1967	
	 	3372695		Beliveau, et al.	03-12-1968	
	1	3472232		Earl	10-14-1969	
	T	3608095		Barry	09-28-1971	
	†	3763860		Clarke	10-09-1973	
	†	3858783		Kapitanov, et al.	01-07-1975	<u></u>
	1	3924633		Cook, et al.	12-0 9 -1975	
 	†	4037603		Wendorff	07-26-1977	
 		4128100		Wendorff	12-05-1978	
	1	4235238		Ogiu et al.	11-25-1980	
L			FOR	EIGN PATENT DOCUMENTS		

FOREIGN PATENT DOCUMENTO								
Examiner Cite Initials No.1 Office3		Foreign	Patent Docume	nt	Name of Patentee or	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant passages or relevant	76
		Office ³	Office ³ Number ⁴ KindCode ⁵		Applicant of Cited Document	mm-dd-yyyy	figures appear	<u> </u>
		AU	278089	В	Ethicon, Inc.	06-03-1965		X
		AU	441561	В	Ethicon, Inc.	01-06-1972		×
		DE -	4334419	A1	Univ. of Freiburg Klinikum	04-13-1995	English Abstract	ļ
	<u> </u>	EP	0598976	B1	American Cyanamid Co.	06-01-1994		×
<u> </u>		EP	0941712	A1	Gil-Vernet Vila	09-15-1999		×
	 	EP	1025811	A2	Medtronic Inc.	08-09-2000		x
	†	SE	503271	C2	Medscand AB	04-29-1996	See WO96/06567	

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June 4, 2001
Gene W. Kammerer
3736
Lacyk, John P.
GYN0090

U.S. PATENT DOCUMENTS

U.S. Patent Docu		U.S. Patent Document			Date of Publication	Pages, Columns, Lines,
Examiner	Cite	· ·	d Code ²	Name of Patentee or Applicant of Cited Document	of Cited Document	where relevant passages or
Initials	No. ¹	Number (i	f known)		mm-dd-yyyy	relevant figures appear
		4392495		Bayers	07-12-1983	
		4441497		Paudler	04-10-1984	
		4509516		Richmond	04-09-1985	
		4549545		Levy	10-29-1985	
		4946467		Ohi, et al.	08-07-1990	
		5013292		Lemay	05-07-1991	
		5032508		Naughton, et al.	07-16-1991	
		5080667		Chen, et al.	01-14-1992	
		5180385		Sontag	01-19-1993	
		5250033		Evans, et al.	10-05-1993	
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		5368595		Lewis	11-29-1994	

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		Foreign	Patent Docur	nent	Name of Patentee or	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant	
Examiner Initials	Cite No.1	Office ³	Number ⁴	KindCode ⁵	Applicant of Cited Document	mm-dd-yyyy	passages or relevant figures appear	T ⁶
		wo	0238079	A2	Ethicon GmbH	05-16-2002		x
		wo	9003766	A1	Petros	04-19-1990		х
		wo	9606567	A1	Medscand AB	03-0-1996		х
		wo	9713465	A1	Medscand Medical	04-17-1997		х
		wo	9831301	A1	Lenadora	07-23-1998		х
		DE	10103179	A1	Sofradim Production	07-26-2001		х
		DE	4220283	A1	Singer Spezialndadelfab	12-23-1993		х

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Application Number	09/873,571				
Filing Date	June 4, 2001				
First Named Inventor	Gene W. Kammerer				
Group Art Unit	3736				
Examiner Name	Lacyk, John P.				
Attorney Docket Number	GYN0090				

	1	U.S. Patent Document				
Examiner	Cite	· · · · · · · · · · · · · · · · · · ·	Kind Code ²	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant passages of relevant figures appear
Initials	No.1	Number	(if known)		mm-dd-yyyy	
		5368756	<u> </u>	Vogel, et al.	11-29-1994	
		5382257		Lewis, et al.	01-17-1995	
		5383904		Totakura, et al.	01-24-1995	
	ļ <u>.</u>	5403328		Shallman	04-04-1995	
	†	5450860		O'Connor	09-19-1995	
-	1	5507796		Hasson	04-16-1996	
		5582188		Benderev	12-10-1996	
		5611515		Benderev, et al.	03-18-1997	<u></u>
	†	5628756		Barker, Jr., et al.	05-13-1997	
		5645568		Chervitz, et al.	07-08-1997	
	†	5741299		Rudt	04-21-1998	
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Examiner Initials		Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant passages or relevant figures appear	∓ 6
	Cite No. ¹	Office ³	Number ⁴ KindCode ⁵			mm-dd-yyyy		
		wo	02/28312	Α	Sofradim Production	04-11-2002	English Abstract	
		wo	2004/012626	A1	Fin Med S.A.S. Di Grondelli & Co.	02-12-2004		×
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		EΡ	0 774 240	A1	Ethicon, Inc.	05-21-1997		х
		EP	0668 056	A1	Smith & Nephew Dyonics Inc.	08-23-1995		×
	 	DE	32 23 153	С	B. Braun Melsungen AG	08-11-1983	English Abstract	<u> </u>
	† · · · ·							

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 4 of 7

Application Number	09/873,571
Filing Date	June 4, 2001
First Named Inventor	Gene W. Kammerer
Group Art Unit	3736
Examiner Name	Lacyk, John P.
Attorney Docket Number	GYN0090

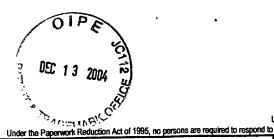
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				U.S. PATENT DOCUMENTS		
Examiner Initials	Cite	U.S. Patent Document Kind Code ² Number (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
	··· —	5836315		Benderev, et al.	11-17-1998	_
		5840011		Landgrebe, et al.	11-24-1998	
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		5935122		Fourkas, et al.	09-10-1999	
,		5945122		Abra, et al.	08-31-1999	
		5997554		Thompson	12-07-1999	
		6110101		Tihon, et al.	08-29-2000	
		6117067		Gil-Vernet	09-12-2000	
		6221005		Bruckner, et al.	04-24-2001	
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FOREIGN PATENT DOCUMENTS Pages, Columns, Lines, Date of Publication Foreign Patent Document of Cited Document where relevant Name of Patentee or passages or relevant Examiner Cite mm-dd-yyyy **Applicant of Cited Document** figures appear Initials Number⁴ KindCode⁵ Office³ No.1

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First Named Inventor	Gene W. Kammerer
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				U.S. PATENT DOCUMENTS		
Examiner Initials	Cite	U.S. Patent Docu	ment Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		6382214		Raz, et al.	05-07-2002	
	†	6475139		Miller	11-05-2002	
	 	6491703		Ulmsten	10-10-2002	
		2001/0018549		Scetbon	08-30-2001	
	 	2001/0049467		Lehe, et al.	12-06-2001	
	†"	2002/0028980		Thierfelder, et al.	03-07-2002	
	1	2002/0058959		Gellman	05-16-2002	
		2002/0077526		Kammerer, et al.	06-20-2002	
	†	2002/018869		Kammerer, et al.	12-12-2002	
	†	2003/0023138		Luscombe	01-30-2003	
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		Foreign Patent Document		ent	Name of Patentee or	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant		
Examiner Initials	Cite No.1	Office ³	Number ⁴ K	indCode ⁵	Applicant of Cited Document	mm-dd-yyyy	passages or relevant figures appear	Τ°	
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First Named Inventor	Gene W. Kammerer
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				U.S. PATENT DOCUMENTS		,
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Initials		Number	(if known)		mm-dd-yyyy	
		5899999		DeBonet	05-04-1999	
		6605097		Lehe et al.	08-12-2003	
		2002/0091373	A1	Berger	07-11-2002	
		5112344	A	Petros	05-12-1992	
						
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Examiner Name	Lacyk, John P.
Attorney Docket Number	GYN0090
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Examiner's	Cite	(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s),	T ²
Initials*	No.1	publisher, city and/or country where published	
		Petros, P.E. Papa "Vault Prolapse II: Restoration of Dynamic Vaginal Supports by Infracoccygeal Sacropexy, an Axial Day-	
	L	Case Vaginal Procedure", International Urogynecol Journal, Springer-Verlag London Ltd., 2001, vol. 12, pages 296-303.	
		Petros, P.E. Papa "Vault Prolapse I: Dynamic Supports of the Vagina", International Urogynecol Journal, Springer-Verlag London Ltd, 2001, Vol. 12, pages 292-295.	
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Page 1 of 1

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Supplementary Partial European Search Report dated 23 September 2004.

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